



**Hundredth Legislature - First Session - 2007**  
**Committee Statement**  
**LB 316**

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**Hearing Date:** February 13, 2007  
**Committee On:** Education

**Introducer(s):** (Friend)  
**Title:** Create the Special Education Services Task Force

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**Roll Call Vote – Final Committee Action:**

- Advanced to General File
  - X Advanced to General File with Amendments
  - Indefinitely Postponed
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**Vote Results:**

7	Yes	Senators Adams, Ashford, Avery, Burling, Howard, Kopplin, and Raikes
0	No	
0	Present, not voting	
1	Absent	Senator Johnson

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**Proponents:**

Senator Mike Friend  
Robert J. Krist  
Mike Dulaney  
John A. Bonaiuto  
Justin Brady

**Representing:**

Introducer  
Self  
Nebraska Council of School Administrators  
Nebraska Association of School Boards  
Girls and Boys Town

**Opponents:**

**Representing:**

**Neutral:**

Virgil Horne  
Sara Farrand

**Representing:**

Lincoln Public Schools  
Nebraska Department of Education

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**Summary of purpose and/or changes:**

Legislative Bill 316 would create the Special Education Services Task Force. The task force would examine the provision of special education services and recommend policies and potential legislation to the Clerk of the Legislature and the Education Committee on or before December 31, 2007. The examination would include, but not be limited to:

1. Federal and state laws;
  2. Special education services in other states;
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3. Application of the “least-restrictive-environment” doctrine;
4. The availability of services across the state;
5. The use of private providers by public school districts;
6. The use of private providers by private citizens; and
7. The provision of services for wards of the state or wards of the court.

The task force would be authorized to hold one or more public hearings to obtain input.

Members of the task force would be appointed on or before June 15, 2007, and would include:

1. The chairperson and one other member of the Education Committee;
2. One member of the Legislature that is not a member of the Education Committee;
3. One representative of the Governor;
4. One parent with a child receiving special education services in a private setting;
5. One parent with a child receiving special education services in a Class V school district;
6. One parent with a child receiving special education services in a Class IV school district;
7. One parent with a child receiving special education services in a Class III school district with at least 900 students;
8. One parent with a child receiving special education in a Class III school district with less than 900 students;
9. One educational service unit administrator or educational service unit special education director;
10. One educational service unit special education teacher;
11. One public school special education teacher;
12. One public school special education director;
13. One private school administrator not involved in special education;
14. One school board member;
15. One representative of an organization advocating for children;
16. One representative of the State Department of Education who has expertise in special education;
17. One representative of the State Department of Health and Human Services who has expertise in the placement of state wards;
18. One representative of a private provider of special education services; and
19. One representative of postsecondary special education.

The members would be appointed by the Governor, except that the senators would be appointed by the Executive Board. The chairperson of the Education Committee would serve as the chairperson of the task force. Members would be reimbursed for their actual and necessary expenses. The Education Committee of the Legislature, the Legislative Fiscal Analyst, and the State Department of Education would provide research and administrative support. For budgetary purposes only, the task force would be within the Legislative Council.

The task force would terminate on December 31, 2007.

The measure contains an emergency clause.

**Explanation of amendments, if any:**

The committee amendments revise the membership of the Task Force and move the deadline for the appointment of the members from June 15, 2007 to July 1, 2007. With the committee amendments, the 15 members would include:

1. The chairperson and one other member of the Education Committee;
2. One member of the Legislature who is not a member of the Education Committee;
3. One parent who has a child receiving special education services in a private setting;
4. Two parents who have children receiving special education services in a school district;
5. Two educational service unit (E.S.U.) special education teachers;
6. One public school special education teacher;
7. One public school or E.S.U. special education director;
8. One private school principal or director;
9. One school board member;
10. One representative of the State Department of Education who has expertise in special education;
11. One representative of the Department of Health and Human Services who has expertise in the placement of state wards; and
12. One representative of a private provider of special education services.

The members would be appointed by the Governor, except the senators would be appointed by the Executive Board of the Legislative Council.

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**Senator Ron Raikes, Chairperson**